G. R. S. 58]

Previous references.

1880
191 .
(S. R.)

File.No. 9

Serial Nos. 1-

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 10.

All. ~~Part~~ B for April 1882.

SUBJECT.

Extraction of toddy by the contractors' people from immature date trees.

Mirza Nazeer Hussain

W D 1351—GPB—20,000—13-12-15

8.

(General Serial No. 32.)

1882.

1

No. 3502.

Name of Petitioner. Messrs Smith.

Parsamah & Co -

Village. Toddy Contractors

Taluk. Vaundiwas Station

S. R. 9-80

District. Bangalore Do

Date of Arzi. 29. / March 82.

Date of Receipt. 30 /

Date of Disposal.

No. of Enclosures. Nil —

ABSTRACT.

Referring to the facts already represented by ~~them~~ about the losses sustained by them by the toddy trees growing in the Karab (unarable) lands, which form part of condoyum lands of ryots in the Kolar District state that there are very few toddy (or date) trees in the Kolar, Srinivasapur & Mullabagal Talugs where the date trees have suffered from the

The height of a yard or so, on account of
the nature of the soil - from the tree
the salt contractors were extracting today;
of which marks are the still seen on them -
the Byelorussians having cut some of body extracts
(of the veins, subsequently) extracting body from
the trees and above charged them (thereby giving
them trouble) & sent socket No 1236/989 & the notes
who are sent to guard for sending the remainder
of fines to 20 imposed on the above culprits -
the notes beg to say that even if the above acts
of the Ediyars in having extracted body from
these trees were contrary to the Govt rulings
there seems no sufficient grounds to fine the
Ediyars for the fault of the said Ediyars -
Besides the extraction of body is much hinder
by such unusual objections & restrictions -
In accordance with the docket rec'd from the
Byelorussians for supplying licenses to all the Dobashis
(renders) in the Kolar Dist, the list of
the Dobashis was sent on 28 December. And the
forms without being seen sent - are claimed
till the February when only a few forms were sent
the rest unsupplied these forms & the Dobashis
& applied for the remainder which were now
forwarded in duplicate of December -

the current month being the close of the off year the sub-tenancy comes to an end & as the new system of working has to be brought to force from 1st April next Docket No. 28 was sent to the Dy Comd intimating him that license forms would be sent with the list of members

missing

learn from the reports Nos 113 & 114 of Inspector Shashanah of Gudibanda saying that warrants have been issued from the Munsiff's Court of Chick-ballapur for prosecution & hearing of the Gudibanda cases on the last date of this month on the

missing

charge of their selling wrecks
without license. Hitherto there
were no licenses issued for the wrecks
shops & the issue of such has been of
a recent practice causing much injury
to their interests and trade. & in a similar
case to this, sale of wreck had been stopped
for 5 or 6 days in some of the Talugs of the Kolar
Dist during January last - consequently the bus
tenants have still withheld payment of the realiza
tion on account of the case; they thereby sustain
ed - the Debtors being Egmore paying large amount
cannot hope to make their income, unless they
are much aided by Govt. & then the Govt. alone
runs by to hinder their working, it would
no doubt be very hard for them to pay the
Rists. The Debtors beg to say that it requires time
till the end of April or 10th of may next for
the settlement of the arrangements & they have
to make in their working system from the
beginning of April of the current year. & they
therefore beg that favourable orders may
be issued for not pressing them in the above
matter (2) for remitting the above fine of
Rs 20 said above, as well as for holding the
Warrant in abeyance. & lastly as to the party

from them they should
make good the loss
they have suffered
from the restrictions
& troubles given by
Government —

No 432/177

6

Deputy Commissioner's Office
Kolar District
Dated Kolar 24 June 1881.

To,

The Secretary to the
Dewan of Mysore

S.R
9-80
1

Sir,

Adverting to the Chief Commissioner's Proceedings No. 6768-70/1245 of the 22d February 1881, I have the honor to inform you that the toddy contractors of this District have not yet executed the usual contract bond, nor paid the balance Rs 441 as particularized in the margin on account of the contract deposit. The instalments for April and May have been paid up. In a petition dated 2d April one of them, V. Arunachellum Mudaliyar, promised to execute the bond at Kolar within a week, but he has not yet done so. Notices were issued to him thrice requiring him to conform himself to para 5 of the Chief Commissioner's Notification No. 82 of January 1881, but they were all returned unserved as it was stated that he was absent, and his son would not receive them.

2. As the Contractors have failed to comply with the requisition in spite of the issue of notices and reminders, the orders of the Dewan are requested, as to whether the contract should not be cancelled in case they fail to act up to the terms agreed to.

I have the honor to be
Sir
Your Most Obdt Servant
M Narasimmiengar
Dy Commissioner

Balance of the contract amount 50-0-0
1/4 of the District Fund for the
Contract amount 391-0-0
441-0-0

1881.

7

From The Dy Commissioner
Kolar Dist

To

The Private
Secretary to ~~Chief Commissioner~~,
~~General Department~~.

S. R
2-80
1

Dated 24 June
Despatched 24th do.
Received

Enclosures No. Nil

General No. 432 } 1881—82.
No. 177 }

The Ch Comrs Progs: No 6768-70/1245
d/22 Feby/81.

Subject for orders the Conduct of the tody Contractors in evading the Execution of the Contract bonds.

27/6/81

Do Secy

24/6
27

(General Serial No. 29.)

18.81-82

From.

The Deputy Commissioner
Kolar, Pratinidi

To

The Secretary to the Chief Commissioner
the Diwan

of Mysore, Department

Dated 7th. June

Despatched 30 July

Received 3

S.P.
7-80
2

Enclosures No. 1

General No. 492
No. 203. } 1881-82.

Forwarding for information
& petition personally pre-
sented by Laddy Contractor
V. Arnakallum Swamy -

9-7-82

Submitted
9/7

No 492/203

3

Deputy Commissioner's Office
Kolar District
Dated Kolar 7th January 1881.

To,

The Secretary to the Division
of Mysore

Sir,

I am continuation of my letter No. 432/177 of the 24th Ultimo, I have the honor to forward for information a petition in original personally presented by V. Annachetty Naidu Toddy Contractor, and to request that the tender offered by Chick Pudrappa Chetty on account of the petitioners, and which was forwarded with my docket No 1494/441 of the 11th February last, may be forwarded in order to ascertain whether as alleged by the petitioners the annual contract amount therein specified, viz^t Rs. 25,000 includes the local cesses also.

Please see the tender and the indecision in the Collector's report in the reply

2. With reference to para 3 of

the

the petition, instructions are solicited as to whether the petitioner above is to be recognized as Contractor for this District, or all the three persons referred to in para 1 of the Chief Commissioner's Proceedings No. 6766-70 of the 22d February 1881. R 1245

3. I also request copy of correspondence, if any, referred to in para 4 of the petition, authorizing such Contract Bonds to be executed on 1 stamp paper of 8 Annas.

I have the honor to be

Sir

Your most Obed't Servant

M Narasimmiengar

for Dy Commissioner

Jeypore

ಕೋಲಾರ ಜಿಲ್ಲೆಯ ಕೆಜಿಎಫ್ ಚಿನ್ನದ ಗಣಿಗಳಲ್ಲಿ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದ ಕಾರ್ಮಿಕರ ಸಂಘಟನೆಯ ಬಗ್ಗೆ ಮಾಹಿತಿ ಸಂಗ್ರಹಿಸಿ ಬರೆಯಿರಿ.

ಕೆಜಿಎಫ್ ಚಿನ್ನದ ಗಣಿಗಳಲ್ಲಿ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದ ಕಾರ್ಮಿಕರ ಸಂಘಟನೆಯ ಬಗ್ಗೆ ಮಾಹಿತಿ ಸಂಗ್ರಹಿಸಿ ಬರೆಯಿರಿ.

ಕೆಜಿಎಫ್ ಚಿನ್ನದ ಗಣಿಗಳಲ್ಲಿ ಕೆಲಸ ಮಾಡುತ್ತಿದ್ದ ಕಾರ್ಮಿಕರ ಸಂಘಟನೆಯ ಬಗ್ಗೆ ಮಾಹಿತಿ ಸಂಗ್ರಹಿಸಿ ಬರೆಯಿರಿ.

General Serial No. 29.)

OFFICE OF THE DIWAN OF MYSORE. 6833 16.NOV.81

18.81-82 357.

From

The Dy Commissioner
Kolar District

To

Diwan

The Secretary to the ~~Chief Commissioner~~

of Mysore, ~~Department.~~

-8-
3

Dated 11th. November

Despatched 15th.

Received

Enclosures No.

General No. 1350 } 1881-82
No. 481 }

Requests that the toddy
Contractor may be
ordered to execute a
Muchilika without
delay.—

16.11.81
DD
Today

Submitted

19/11 Letter sent to the
Asst Commr for D.O. by post

15

No. 1350
" 481

Deputy Commr's Office
Kolar District
Kolar 11th November
1881.

To

The Secretary to the Diwan
of Mysore.

9-80
3

Sir,

In continuation of my No. as per margin, reporting that the Toddy Contractor had not yet executed a Muchelika as required by the terms of the Farm, I have the honor to bring to the notice of the Diwan that it has been reported by the Amildars of Gumnaikanpalya and Mulbagal that toddy has been extracted by the Contractor's people from immature young date trees, and that the shops for the vend of toddy are constantly shifted from village to village, without any license. I called on the Contractor several times to execute the agreement, and to submit a list of retail shops, but he has not replied to my notices. On one occasion, Contractor Annachalam Mudr told me in person that he would

× Nos 432/177, 492/203
& 795/332 d/24 June,
7 July, & 30 August 1881
respectively

would execute the agreement on the Diwan settling some difficulty about transferring the farm to himself.

2. By section XI of the advertizement for the sale, (vide Mysore Gazette dated 8th January/81) certain penalties are prescribed for breaches of the Conditions imposed, & it is the absence of the Contractor's agreement, I am not sure whether the penalties could be enforced.

3. I beg therefore that (1) the Contractor may be directed to execute the agreement without further delay, and (2) that you will obtain instructions for me as to whether the penalties may be imposed on the Revenue side, or a Magisterial trial is required for every Conviction.

4. In the Diwan's order No 6105/14 dated 1st November/81, it is ruled that licenses for retail Toddy shops should be drawn out in the name of the Contractor. He should however be required,

(General Serial No. 29.)

18

OFFICE OF THE
DEWAN OF

18 82

From The Dy Commr Nolambur

To The Secretary to the ~~Chief Commissioner~~ Dewan
of Mysore, Revenue Department.

Dated 16 January

Despatched 17 "

Received

Enclosures No. Nil

General No. 1657 } 18 —8 .
No. 604

Soliciting early orders to enforce the Execution of the agreement by the Lambany Contractors.

18.1.82

Write as referred to
& orders on the 16-11-81.

W.

Please get all Carriers
Return - Some may be
to Date by 1.2

Despatched - Papers are as
before. Being from the Dc.
Comr. Have submitted them.

No 1651.
604.

19

Deputy Commr's Office
Kolar District
Kolar 16th January/82

To
The Secretary to the Dewan
of Mysore.

7-80
4

Sir,

In continuation of my last letter No 1350/481 dated 11th November/81, reporting the non execution by the toddy contractors of the agreement and non fulfilment of the conditions prescribed in para 5 of the notification published in the Mysore Gazette dated 15th January/81, I have the honor to state that in my recent tour I personally noticed that in some places the sub-renters were extracting toddy from young immature trees, and similar cases are reported every now and then by the Taluk authorities.

Reply given in A.M. Book p.

2. In the former case, I issued a notice to Mr V. Arnachellam Naick requiring him to shew cause why the penalty prescribed in section XI of the notification should not be levied. In reply, he has stated that the management of the toddy farm rests with Messrs F. D. Smith

and

and Papaña. Another notice to
the latter on the subject
has been this day issued.

3. I have the honor accordingly
to request that early orders may be
passed on my reference above
quoted, in order that responsibility
may be fixed on the right party
for all liabilities under the Contract.

I have the honor to be,
Sir,
Your most obed. Servt.

W. Marshman Jr.
Deputy Commissioner.

J.W. Jun.

Deputy Commrs Office
Kolar District
7th March 1882
Camp Chikballapur

No 1934
729

To

The Secretary to the
Dewan of Mysore

Sir

In continuation of correspondence ending with this office No 1651/604 dated 16th January last, I have the honor to enclose copy of an order passed by me today, fining the Toddy Contractors of this District for their agents damaging young and immature date trees, and to state that there are some more similar cases against them under enquiry.

2. I beg again to take the opportunity of suggesting that orders be passed early regarding the Kuchilika to be taken from the contractors, as per my previous letters.

I have the honor to be
Sir
Your most obdt Servant
W Narasimmiengar
Deputy Commissioner
Kolar

(General Serial No. 29.)

1881-82.

From The Deputy Commr. Kolar Dt.

To

The Secretary to the Chief Commissioner
of Mysore, Rev: Departme:

Dated 7 June 1882

Despatched 9" "

Received

Enclosures No. 1

General No. 1934 / No. 729 } 1881—82.

Subj copy of an order
passing the Toddy Con=
tractors for damaging
young & immature Date
Palms & collecting Toddy
about the Muchilika Tole
taken from the Contractors

(General-Serial No. 30)

25

188

From S.E 9-80 6

To Kolar Dy Commr

Dated. 14 March 82

Despatched –

Received Regd.

Enclosures No.

General No. 9378

No. 271

Your letter No 482 of 24 177 June 1882.

Request Please acknowledge the full amount of the deposit money has been paid up today by the Contractors of the Kolar Dist.

By order

Regd.

9

1882. 26

From

To The Deputy Commissioner
V. R . Kolar Dist:
9-80
7

Dated 21 March

Despatched

Received

ENCLOSURES NO.

General No. 9533 / *No.* 276 } 188 —8 .

His letter no. 492/203 of the 7th June 1881.

As requested in para: 13 of the above, returns Chick Rudrappa Chetty's tender for the Toddy Contract of the Kolar District from which it will be seen that no allusion to local cess is made therein, ~~nor is it stated that the tender is made on behalf of V. Amachallam Moo~~

Section S.R
File No 8-80

No. 3502

Dated 30-3-82

22

30-3-82

30

Deputy Commissioner's Office
Kolar District
Dated Kolar 3d April 1882.

From,

The Deputy Commissioner
Kolar District

To,

The Secretary to the
Dewan of Mysore
?--?0

Sir,

?

In reply to your docket No. 9378/271 dated 14th Ultimo, I have the honor to state that the Toddy Contractors have deposited Rs. 6,200, which is 50 Rs. less than a fourth of the Contract amount, viz: Rs. 6,250. The Contractors were called upon to make good the deficiency, but have made no response up to date.

2. Nor have they executed the requisite Contract Bond. One of the Contractors, Mr. Annaballam Mudali came here once, and represented to me in person that there was some dispute as to the apportionment of the Districts to the

the several members of the Firm,
and pending its disposal by the
Dewan, no agreement could be
executed. I have reported this
fact in my No. 1192/203 dated 7th July
1881.

3. I beg leave respectfully to
suggest that definite orders be
passed early in the matter, fixing
on the person or persons con-
nected with the Firm the re-
sponsibility of fulfilling the
contract. Mr. Arunachellam
Mudaliar on one occasion refused
to sign a Notice I issued to him,
urging that he had given up
this District contract. Young
and immature trees are being
topped and injured in many
places, and in one case where
the injury was glaring, I fined
the Contractors 20 Rs. (vide my
No. 1934/729 dated 7th March 1882)
but they have not paid the fine,
although twice called upon to do
so. I shall have to deduct it

from

To

Encl. to 681 9 56

81

The Deputy Commissioner

Kolar District

Sir,

With reference to the Chief Commissioner's Notification published in the Mysore Gazette No. dated. January last I beg to submit this my tender for the exclusive privilege of selling toddy in the District of Kolar for three years from 1st April 1881 to March 1884 and offer the sum of Rs. 23000 — annually.

I enclose Currency Notes for (two

377 for Rupees (1000) One thousand being the amount of deposit required by para 2 of the Notification.

I am prepared to abide by the conditions referred to in the Notification and trust that you will be so good as to submit this to the favourable consideration of the Chief Commissioner.

I beg to remain

Sir,

Your most Obedt. Humble Servant

Bangalore
the February 1881

Letters from the Deputy Commr Kolar Dt

✓ 1 350/487 of the 11th November 1881

✓ 507/604 of the 16th January 1882

✓ 1934/729 of the 7th March 1882

✓ 4 4/2 of the 3d April 1882.

✓ Petition from Messrs Hd Smith & Papanna & Co.
dt 29 March 1882 ✓

No 309-17 dt 17 April/82 Order:-

The above letters relate chiefly to two points in the proceedings of the Toddy Contractors of the Kolar District regarding which it is necessary to issue definite instructions.

2. The first point is the extraction of Toddy by the Contractors people from the mature young date trees contrary to the provisions of condition XI leading to the destruction of the trees. This should of course be prevented, and any breach of the condition renders the lessees liable to the penalty provided in the above Condition which is recoverable from them as a Revenue demand -

from them? By the former con-
-tractors viz:- But having regard
to the fact that the condition
has not at all been enforced
heretofore and to the consequent
necessity of giving due warning
to the Contractors before the
penalties are strictly enforced,
the Dewan is pleased to
remit the penalty imposed
by the Dy. Conr in the case
under notice. The contractors
are warned that they cannot
be allowed to destroy young
trees by drawing toddy from
them prematurely, and that
the conditions of the Contract
Bond in this respect must
be strictly observed. If
such trees are found insufficient,
the contractors are expected
to rent trees from holders of
Inam lands or of occupied
Kandayam lands in Surveyed
Talugs, or to import Toddy

from outside the ~~premises~~ as it is believed they do at present.

5. The next point referred to is the sale of Toddy by the Contractors agents without licenses, and the constant shifting of shops from village to village without any license. The contractors state that they have already furnished a list of the retail shops to the Dy. Com^r in which case it remains with that officer to issue the necessary licenses for them. The licenses as already directed are to be furnished to the renters who will issue them to their retail vendors. When changes take place amongst the retail Vendors, the contractors will be expected to apply to the Dy. Com^r for the alteration of the name in the License without delay — but the sales

them or any other agent for the management of the Toddy Contract in Kolar and intimate the same to this office or to the Dy. Comr. & Separate orders have been issued in regard to the execution of the Contract Bond without any further delay. The Contractors cannot be permitted to delay the matter any longer.

CR

Dated 17 April

No 809-17

9

Print

M. Seely

To The Dy Comr of the Kolar & The Dy Comrs of other Distts

Messrs D.A. Smith, Papanna, and Ramachallam Mudr. Toddy Contractors of the Mandyroog &c.

2 Pa 1

Rd 11 17-4-82

Passing orders regarding the extraction of Toddy by the Contractors' people from immature date trees

1882.

GOVERNMENT OF MYSORE.

REVENUE.

PROCEEDINGS.

Dated 17th April 1882.

No. 309-17
9

Passing orders regarding the extraction of toddy by the contractors' people from immature date trees.

Mysore Government Press, Bangalore.—20-4-82.—140.

Proceedings of the Dewan to His Highness the Maha Raja of Mysore, (Revenue),—dated 17th April 1882.

READ—

Letters from the Deputy Commissioner, Kolar District—
No. 1350—481 of the 11th November 1881,
„ 1651—604 of the 16th January 1882,
„ 1934—729 of the 7th March 1882, and
„ 4—2 of the 3rd April 1882.

Petition from Messrs. F. W. Smith and Papanna and Co., dated 29th March 1882.

No. 309-17—9, DATED BANGALORE, 17TH APRIL 1882.

ORDER.—The above letters relate chiefly to two points in the proceedings of the toddy contractors of the Kolar District regarding which it is necessary to issue definite instructions.

2. The first point is the extraction of toddy by the contractors' people from immature young date trees contrary to the provisions of Condition XI, leading to the destruction of the trees. This should of course be prevented, and any breach of the conditions renders the lessees liable to the penalty provided in the above condition which is recoverable from them as a revenue demand. Though the contractors' agents, subtenants or servants who may be guilty of the offence will in the first instance be called upon to pay the penalty, on their failing to do so, the Government must look to the contractors for the payment. On the other hand the contractors urge with some force that the trees in the Kolar District are generally of stunted growth so that the limit of one yard in height cannot be arbitrarily applied to them, that the late contractors were extracting toddy from the trees of which marks are to be seen and that therefore the trees cannot be considered young and immature, and that in fact it will not pay them to tap young and immature trees and that any indiscriminate interference of officers with their work is likely to drive away their subtenants and subject them to loss.

3. The position of the contractors who are responsible for an important item of revenue of the entire District entitles them to considerate treatment, especially in a District where the resources for the supply of toddy are so limited. It will be therefore necessary to instruct the Amildars to avoid giving needless annoyance to the contractors in the matter and to take notice of only really bad cases of injury to the trees, which should further be disposed of by the Deputy Commissioner himself after proper enquiry.

4. In the case now reported, it is observed that the Deputy Commissioner has personally seen the trees though he does not give any particulars as to the number of trees injured, their age and height, and whether toddy had been extracted from them by the former contractors, &c. But having regard to the fact that the condition has not at all been enforced heretofore and to the consequent necessity of giving due warning to the contractors before the penalties are strictly enforced, the Dewan is pleased to remit the penalty imposed by the Deputy Commissioner in the case under notice. The contractors are warned that they cannot be allowed to destroy young trees by drawing toddy from them prematurely, and that the conditions of the contract bond in this respect must be strictly observed. If Government trees are found insufficient, the contractors are expected to rent trees from holders of inam lands or of occupied kandayam lands in surveyed taluks, or to import toddy from outside the District as it is believed they do at present.

5. The next point referred to is the sale of toddy by the contractors' agents without licenses, and the constant shifting of shops from village to village without any license. The contractors state that they have already furnished a list of the

etail shops to the Deputy Commissioner in which case it remains with that officer o issue the necessary licenses for them. The licenses as already directed are to be urnished to the renters who will issue them to their retail vendors. When changes ake place amongst the retail vendors, the contractors will be expected to apply to he Deputy Commissioner for the alteration of the name in the license without lelay, but the sales at the licensed shop need not be stopped pending the issue of the ltered license. Changes of the locality of the shops or any increase in the number f shops require the previous sanction of the Deputy Commissioner, which will be romptly accorded when no objection on public grounds exists. The contractors will e expected to conform to these instructions strictly and any neglect on their part o obtain the necessary licenses will subject them to the prescribed penalties.

6. The Deputy Commissioner enquires whether retail toddy shops changed from ne place to another are to be taxed with fresh mohatarfa as new shops. They need e so treated only when they are changed to another village and not within the limits f the same village in which they were originally situated.

7. Lastly the Deputy Commissioner brings to notice that Rs. 50 yet remain o be paid by the contractors to make up the amount of the security and that the ontractors have not responded to the notices issued by him on the subject. The ontractors state that they have not received the notice referred to. From the Deputy Commissioner's letters he would appear to have addressed Arunachalam Mudaliar, one of the contractors, on matters requiring reference to them. The contractors, as per orders sanctioning the contract, are Mr. F. W. Smith, Nilgiri Papanna and Arunachalam Mudaliar, to whom the references should be addressed unless they elect to appoint one of them or any other agent for the management f the toddy contract in Kolar and intimate the same to this Office or to the Deputy Commissioner.

8. Separate orders have been issued in regard to the execution of the contract ond without any further delay. The contractors cannot be permitted to delay the natter any longer.

Secretary.

---

o—The Deputy Commissioner of the Kolar District.
The Deputy Commissioners of other Districts.
Messrs. F. W. Smith, Papanna and Arunachalam Mudaliar,
toddy contractors of the Nundydroog Division.